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November 14, 2016

Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington DC 20554

**Re: Cable Special Relief Petitions; MB Docket No. 15-71**

Dear Ms. Dortch:

Consistent with the Market Modification docket referenced above, attached are results for a preliminary evaluation of a potential market modification for stations WYMT and WKYT in Leslie, Letcher, Wise, Johnson, Martin, Floyd, Pike, Bell and Harlan Counties.

If you have any questions, feel free to contact me at (202) 457-3058.

Sincerely,

/s/ Christopher M. Heimann



November 7, 2016

Via Email and US Mail

Robert J. Folliard, III  
Assistant Secretary  
Gray Television Licensee, LLC  
4370 Peachtree Road, NE  
Atlanta, GA 30319  
[Robert.Folliard@gray.tv](mailto:Robert.Folliard@gray.tv)

Dear Mr. Folliard:

Please find attached the results of your request for a preliminary evaluation of a potential market modification for station WYMT in Leslie, Letcher, Wise, Johnson, Martin, Floyd, Pike, Bell and Harlan Counties. Because DIRECTV currently does not carry the requested station, WYMT (CBS), DIRECTV has reviewed the request to add the above counties to WYMT (CBS)'s local television market based upon DIRECTV's carriage of Gray Television's station WKYT (CBS), which is assigned to the same Lexington KY DMA and is currently carried by DIRECTV.

DIRECTV's engineering staff was given the areas to evaluate for our Lexington, KY spot beam, and have found that DIRECTV lacks sufficient spot beam capacity to carry both WYMT (CBS) and WKYT (CBS) stations in any of the counties associated with this request, regardless of whether the following counties located in the Lexington DMA are deleted from WYMT (CBS)'s local satellite carriage market: Russell, Casey, Lincoln, Boyle, Garrard, Mercer, Jessamine, Madison, Estill, Anderson, Woodford, Fayette, Clark, Montgomery, Menifee, Franklin, Scott, Bourbon, Bath, Rowan, Harrison, Nicholas, and Fleming, KY.

DIRECTV only has sufficient spot beam capacity and coverage to carry one of these two stations (i.e., either WYMT or WKYT) in the Lexington, KY DMA. Thus it would be technically infeasible for DIRECTV to carry WYMT (CBS) anywhere in the Lexington, KY DMA unless DIRECTV were to stop carrying WKYT (CBS) in that DMA. Accordingly, if Gray Television would prefer DIRECTV to carry WYMT (CBS) in lieu of WKYT (CBS) in the Lexington, KY DMA, then:

- DIRECTV's spot beam covers **all** current zip codes in Leslie County, KY
- DIRECTV's spot beam covers **all** current zip codes in Letcher County, KY
- DIRECTV's spot beam covers **all** current zip codes in Wise County, VA
- DIRECTV's spot beam covers **all** current zip codes in Johnson County, KY
- DIRECTV's spot beam covers **all** current zip codes in Martin County, KY
- DIRECTV's spot beam covers **all** current zip codes in Floyd County, KY

- DIRECTV's spot beam covers **all** current zip codes in Pike County, KY
- DIRECTV's spot beam covers **all** current zip codes in Bell County, KY
- DIRECTV's spot beam covers **all** current zip codes in Harlan County, KY

DIRECTV will forward the results of this preliminary evaluation to the FCC for their records.

Thank you for your letter and your interest in DIRECTV programming.

Sincerely,

DIRECTV

# Form of Certification Regarding Spot Beam Coverage

1. My name is Phil Goswitz. I am SVP of Engineering at DIRECTV. As such, I am responsible for determining service areas for television stations carried on DIRECTV's spot beams.

2. Because DIRECTV currently does not carry the requested station, WYMT (CBS), DIRECTV has reviewed the request to add the communities listed below to WYMT(CBS)'s local television market based upon DIRECTV's carriage of Gray Television's station WKYT (CBS), which is assigned to the same Lexington, KY DMA, and is currently carried by DIRECTV.

Station	State	County
WYMT	KY	LESLIE
WYMT	KY	LETCHER
WYMT	KY	JOHNSON
WYMT	KY	MARTIN
WYMT	KY	FLOYD
WYMT	KY	PIKE
WYMT	KY	BELL
WYMT	KY	HARLAN
WYMT	VA	WISE

3. DIRECTV has analyzed, with respect to each zip code associated with this request, the expected performance against specific performance criteria. The following factors have been included in this analysis:

- The measured performance of the spot beam covering this Television Station's local market.
- Estimated atmospheric effects for reception of the signal.
- Estimated levels of interference.
- The amount of capacity currently used, and reasonably expected to be used, on the spot beam.
- The target availability figure used for all television stations offered on the spot beam.

4. From this analysis, DIRECTV has derived the following metrics, which it has used to evaluate the potential to provide service in the zip code(s) in question:

- Signal availability.
- Clear sky signal margin.
- Total carrier-to- interference ratio.

5. DIRECTV has conducted this analysis in substantially the same manner and using substantially the same parameters used to determine the geographic area in which it currently offers stations carried on the spot beam.

6. Based on our analysis of DIRECTV's spot beam coverage and capacity in carrying WKYT (CBS) in the Lexington, KY DMA, DIRECTV has determined that it lacks sufficient spot beam capacity to carry both WYMT(CBS) and WKYT(CBS) stations in any of the communities associated with this request, regardless whether the following counties located in the Lexington DMA are deleted from WYMT(CBS)'s local satellite carriage market: Russell, Casey, Lincoln, Boyle, Garrard, Mercer, Jessamine, Madison, Estill, Anderson, Woodford, Fayette, Clark, Montgomery, Menifee, Franklin, Scott, Bourbon, Bath, Rowan, Harrison, Nicholas, and Fleming, KY.

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DIRECTV only has sufficient spot beam capacity and coverage to carry one of those two stations (i.e., either WYMT or WKYT) in the Lexington DMA. Thus it would be technically infeasible for DIRECTV to carry WYMT(CBS) anywhere in the Lexington, KY DMA unless DIRECTV were to stop carrying WKYT in that DMA. Accordingly, if Gray Television would prefer DIRECTV to carry WYMT(CBS) in lieu of WKYT(CBS) in the Lexington, KY DMA, then DIRECTV:

- ☒HD ☒SD Can provide service to all the zip codes associated with this request.\*  
☐HD ☐SD Cannot provide service to any zip code associated with this request because reception of the signal does not meet the minimum performance thresholds for DIRECTV's service.  
☐HD ☐SD Cannot provide service to some zip codes associated with this request because reception of the signal does not meet the minimum performance thresholds for DIRECTV's service.\* The list of unserved zip codes is attached.

\* IMPORTANT: SD coverage will no longer be available after 2018/2019 when the existing MPEG 2 satellite is removed from service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4 Nov 16  
Date

Signature